

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

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|---------------------------|---|------------------------------|
| United States of America, |) | |
| |) | |
| |) | |
| vs. |) | Case No. 05-0011-02-CR-W-FJG |
| |) | |
| Carla S. Whisler, |) | |
| |) | |
| |) | |

ORDER

Pending before the Court is the issue of defendant's competency. On June 7, 2005, Magistrate Judge Sarah W. Hays held a hearing regarding defendant's competency at which time the parties stipulated to a report prepared by the Metropolitan Correctional Center in Chicago, Illinois signed by Michelle Hoy-Watkins, Psy.D. That report concluded that defendant appeared competent to stand trial.

Magistrate Judge Hays issued a report and recommendation (Doc. #42), filed June 13, 2005, finding that defendant is not currently suffering from a mental disease or defect which would prevent her from understanding the nature and consequences of the proceedings against her or assisting in her own defense, and that she is competent to stand trial. No objections to Magistrate Hays' report and recommendation were filed.

The Court, after independent review of the record and applicable law, finds that defendant is not currently suffering from a mental disease or defect which would prevent her from understanding the nature and consequences of the proceedings against her or assisting in her own defense, and that she is competent to stand trial.

IT IS SO ORDERED.

/s/Fernando J. Gaitan, Jr.
Judge Fernando J. Gaitan, Jr.
United States District Judge

Dated: June 29, 2005
Kansas City, Missouri